

★ Roll Call Number  
20-0091

Agenda Item Number  
50 I

Date January 13, 2020

ABATEMENT OF PUBLIC NUISANCE AT 4115 8<sup>th</sup> PLACE

WHEREAS, the property located at 4115 8<sup>th</sup> Place, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the accessory structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Brock Wing, was notified more than thirty days ago to repair or demolish the accessory structure and as of this date has failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The accessory structure on the real estate legally described as Lot 8 in AETNA PLACE REPLAT, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4115 8<sup>th</sup> Place, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said accessory structure.

Moved by Gatto to adopt.

FORM APPROVED:

Megan Norberg  
Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

P. Kay Cmelik

City Clerk